IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

MACA.No. 1945 of 2007

O.P.(MV)1130/2004 of MOTOR ACCIDENT CLAIMS TRIBUNAL, KOTTAYAM

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APPELLANT/PETITIONER:

JANCY ROY @ THRESSIAMMA,
PULICKAL (CHETHIMATTOM) HOUSE, THOTTACKADU P.O.,
KOTTAYAM.

BY ADV. SRI.P.C.JOSEPH PAZHEPARAMBIL

RESPONDENTS: RESPONDENTS:
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1. PRASAD A.K.,
ATTUKUZHIYIL HOUSE, KURUMPANADAM P.O.,
THOTTACKADU, KOTTAYAM, PIN-686536.

2. NOUSHAD P.H.,
PUTHUPARAMBIL HOUSE, PONKUNNAM P.O.,
KOTTAYAM, PIN-686506.

3. THE UNITED INDIA INSURANCE CO. LTD.,
KOTTAYAM, PIN-686001.

BY

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ.

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M.A.C.A.No.1945 OF 2007

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Dated this the 6th day of November, 2007

JUDGMENT

Radhakrishnan, J

Appellant is the petitioner in O.P.(MV)No.1130 of 2004 in a common award dated 16-8-2006 on the file of the Motor Accidents Claims Tribunal, Kottayam. The only question that has come up for consideration is whether the compensation amount awarded by the Tribunal is just and proper. Tribunal awarded a total compensation of Rs.40,048/-. Petitioner could not prove the disability. Tribunal found that there is also no loss of earning power.

Considering the entire facts and circumstances of the case, we are of the view that the Tribunal awarded just and reasonable amounts in all heads. We find no reason to interfere with the compensation amount awarded by the Tribunal. This appeal is dismissed.

K.S.RADHAKRISHNAN, JUDGE

A.K.BASHEER, JUDGE

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